

MASS MAILING

The attached document is part of a mass mailing received in Docket Nos. 96-83 and 95-59. The following list specifies the names of the parties filing formal comment. The number of identical documents as specified in the File Number/City, St. field have been received by the Commission on this same date. You may contact an information technician in the Public Reference Room, Room 239 or 230 to view the documents.

Docket Number	Receipt/Adopted/Issued	Name of Applicant
95-59	9/27/96	ARBOR WALK APARTMENT
95-59	9/27/96	ARBORGATE
95-59	9/27/96	ASHLEY RUN
95-59	9/27/96	AZALEA GARDENS
95-59	9/27/96	BLUE HERON APRTMENTS LTD
95-59	9/27/96	BLUE LAKE POINTE APTS
95-59	9/27/96	BOMA OF IDAHO'S TREASURE
95-59	9/27/96	BRANDWINS APARTMENTS
95-59	9/27/96	BRECKINRIDGE SQUARE
95-59	9/27/96	BRITTANY POINT
95-59	9/27/96	BROOKWOOD VALLEY
95-59	9/27/96	CABOT GROUP, THE
95-59	9/27/96	CABOT GROUP, THE
95-59	9/27/96	CAMCO, INC.
95-59	9/27/96	CANYON POINT APARTMENT
95-59	9/27/96	CAROLINA CIRCLE APARTMENT
95-59	9/27/96	CB COMMERCIAL REAL ESTATE
95-59	9/27/96	CEDAR CREEK
95-59	9/27/96	CHAMBER RIDGE APARTMENTS
95-59	9/27/96	CHESTNUT MANOR RIDGE APAR
95-59	9/27/96	CHIMNEY HILL
95-59	9/27/96	COLONY APARTMENT
95-59	9/27/96	COMPASS MANAGENT AND LEAS
95-59	9/27/96	COUNTRYWOOD VILLAGE
95-59	9/27/96	COURTS OF PEAR RIDGE
95-59	9/27/96	CREEK APARTMENTS
95-59	9/27/96	CROSSROADS APARTMENTS
95-59	9/27/96	CRYSTAL LAKE
95-59	9/27/96	CUSTER PARK APARTMENT
95-59	9/27/96	DANZEISEN PROPERTIES MANA
95-59	9/27/96	DARLINGTON COURT APARTMEN
95-59	9/27/96	DECATUR APARTMENTS
95-59	9/27/96	DEER CAKS
95-59	9/27/96	DEERFIELD
95-59	9/27/96	DEFOORS CREEK
95-59	9/27/96	DEFOORS CROSSING
95-59	9/27/96	DIAMOND SPRING GARDENS
95-59	9/27/96	DRAPER AND KRAMER INC.
95-59	9/27/96	EILEENWOOD GARDENS APARTM
95-59	9/27/96	ENCLAVES, THE
95-59	9/27/96	ESPERSON BUILDINGS, THE
95-59	9/27/96	FIELDCREST APARTMENTS
95-59	9/27/96	FOXFIRE APARTMENTS
95-59	9/27/96	GREENBRYE AT CHARLOTTE,
95-59	9/27/96	GREYSTAR MANAGEMENT SERVI
95-59	9/27/96	HEDIN HOUSE
95-59	9/27/96	HINES
95-59	9/27/96	HOLIDAY MANOR APARTMENT
95-59	9/27/96	HOLLYBROOK APARTMENTS
95-59	9/27/96	HOST APARTMENTS
95-59	9/27/96	HOWELL STATION APARTMENTS
95-59	9/27/96	HUNTER'S POINTE

Docket Number	Receipt/Adopted/Issued	Name of Applicant
95-59	9/27/96	HUNTING VALLEY APARTMENTS
95-59	9/27/96	HUNTINGTON APARTMENT
95-59	9/27/96	JAMESTOWN HOMES
95-59	9/27/96	JUNE HEDRICK
95-59	9/27/96	L & B MULTIFAMILY ADVISOR
95-59	9/27/96	LAKE JOHNSON MEWS
95-59	9/27/96	LAKE MEADOWS APARTMENTS
95-59	9/27/96	LAKE SHORE APARTMENTS
95-59	9/27/96	LAKES, THE
95-59	9/27/96	LAKESIDE APARTMENTS MANAG
95-59	9/27/96	LAKEWOOD
95-59	9/27/96	LAKEWOOD AT PELHAM
95-59	9/27/96	LARKSPUR HOMEOWNERS ASSOI
95-59	9/27/96	LE MIRAGE APARTGMENT
95-59	9/27/96	MANCHESTER VILLAGE
95-59	9/27/96	MANCO ABBOTT, INC.
95-59	9/27/96	MANHASSETT VILLAGE APARTM
95-59	9/27/96	MATHEWS CLICK BAUMAN, INC
95-59	9/27/96	MCKNIGHT MANOR APARTMENTS
95-59	9/27/96	MEADOW RUN APARTMENTS
95-59	9/27/96	METLIFE COPORATE PROPERTY
95-59	9/27/96	NEIGOBORHOOD APARTMENTS,
95-59	9/27/96	NOOK APARTMENTS, THE
95-59	9/27/96	NOONEY KROMBACH
95-59	9/27/96	NORTH PARK APARTMENT HOME
95-59	9/27/96	NOTTINGHAM APARTMENTS
95-59	9/27/96	OAKS, AT EDMONT, THE
95-59	9/27/96	ORANGE TREE VILLAGE APART
95-59	9/27/96	ORANGE TREE VILLAGE APART
95-59	9/27/96	ORCHARD APARTMENTS PARTNE
95-59	9/27/96	ORCHARD PARK
95-59	9/27/96	PARK LAKE APARTMENT
95-59	9/27/96	PARK MONTGOMERY
95-59	9/27/96	PARKTOWN
95-59	9/27/96	PATHWAYS APARTMENTS
95-59	9/27/96	PGPM, INC.
95-59	9/27/96	PINES OF NORTHWEST CROSSI
95-59	9/27/96	PINES ON STACY
95-59	9/27/96	PINES, THE
95-59	9/27/96	PLAZA DE VILLE
95-59	9/27/96	POST OGLETHORPE
95-59	9/27/96	POST ASHFORD
95-59	9/27/96	POST ASHFORD
95-59	9/27/96	POST BAY
95-59	9/27/96	POST BRIDGE
95-59	9/27/96	POST BRIDGE
95-59	9/27/96	POST BROOK
95-59	9/27/96	POST BROOKHAVEN
95-59	9/27/96	POST CANYON
95-59	9/27/96	POST CHASE
95-59	9/27/96	POST CHASTAIN
95-59	9/27/96	POST CHASTAIN
95-59	9/27/96	POST CORNERS
95-59	9/27/96	POST CORNERS
95-59	9/27/96	POST CORNERS
95-59	9/27/96	POST CORNERS
95-59	9/27/96	POST COURT
95-59	9/27/96	POST CROSSING
95-59	9/27/96	POST CROSSING
95-59	9/27/96	POST DUNWOODY

Docket Number	Receipt/Adopted/Issued	Name of Applicant
95-59	9/27/96	POST FOREST
95-59	9/27/96	POST FOREST
95-59	9/27/96	POST FOUNTAINS
95-59	9/27/96	POST GREEN HILLS
95-59	9/27/96	POST HYDE PARK
95-59	9/27/96	POST LAKE
95-59	9/27/96	POST LANE
95-59	9/27/96	POST LENOX PARK
95-59	9/27/96	POST MILL
95-59	9/27/96	POST OAK
95-59	9/27/96	POST OGLETHORPE
95-59	9/27/96	POST PARK
95-59	9/27/96	POST PARKWOOD
95-59	9/27/96	POST PEACHTREE HILLS
95-59	9/27/96	POST POINTE
95-59	9/27/96	POST PROPERTIES, INC.
95-59	9/27/96	POST RENAISSANCE
95-59	9/27/96	POST RIVER
95-59	9/27/96	POST ROCKY POINTE
95-59	9/27/96	POST SUMMIT
95-59	9/27/96	POST VALLEY
95-59	9/27/96	POST VILLAGE
95-59	9/27/96	POST VILLAGE
95-59	9/27/96	POST VILLAGE
95-59	9/27/96	POST VILLAGE
95-59	9/27/96	POST VINNINGS
95-59	9/27/96	POST WALK
95-59	9/27/96	POST WOODS
95-59	9/27/96	QUAIL CREEK APARTMENTS
95-59	9/27/96	RAINTREE APARTMENTS
95-59	9/27/96	RAINTREE APARTMENTS
95-59	9/27/96	RESERVE AT SHADOW MOUNTAIN
95-59	9/27/96	RICHMOND COMMONS APARTMENTS
95-59	9/27/96	RITCHIE MANAGEMENT
95-59	9/27/96	RIVER CREEK
95-59	9/27/96	RIVER GARDEN APARTMENT
95-59	9/27/96	RIVERCREST APARTMENTS
95-59	9/27/96	ROCKY CREEK APARTMENTS
95-59	9/27/96	ROSEMONT CROSSING
95-59	9/27/96	RREEF FUNDS
95-59	9/27/96	SANDPIPER APARTMENTS
95-59	9/27/96	SANDRIDGE
95-59	9/27/96	SAVANNAH GARDENS
95-59	9/27/96	SEAFORD APARTMENT
95-59	9/27/96	SHADOW BROOK
95-59	9/27/96	SIZELER REAL ESTATE MANAGEMENT
95-59	9/27/96	SKYLINE VILLAGE APARTMENT
95-59	9/27/96	STEEPLECHASE APARTMENT
95-59	9/27/96	STERLING WOOD
95-59	9/27/96	STEVEN D.BELL & COMPANY
95-59	9/27/96	STONE CREEK APARTMENT
95-59	9/27/96	STONEHILL TERRACE APARTMENT
95-59	9/27/96	STONEMARK MANAGEMENT
95-59	9/27/96	SUMMERWINDS APARTMENT
95-59	9/27/96	SUMMIT OAKS
95-59	9/27/96	SUNBROOK APARTMENTS
95-59	9/27/96	SUNSET CREEK APARTMENT
95-59	9/27/96	SUTTON PLACE
95-59	9/27/96	TARA, INC.
95-59	9/27/96	TARA, INC.

Docket Number	Receipt/Adopted/Issued	Name of Applicant
95-59	9/27/96	TIMBERLAKE APARTMENTS
95-59	9/27/96	TIMBERWOOD APARTMENTS
95-59	9/27/96	TOWNE OAKS
95-59	9/27/96	TRAMMELL CROW COMPANY
95-59	9/27/96	TRESTLES OF BAYTOWN
95-59	9/27/96	TUDOR MANOR APARTMENT
95-59	9/27/96	VANGUARD MNAGEMENT
95-59	9/27/96	VICTORIA APARTMENTS
95-59	9/27/96	VILLAGE GREEN MANAGEMENT
95-59	9/27/96	VILLAGE SQUIRE APARTMENT
95-59	9/27/96	VININGS PEAK APARTMENT
95-59	9/27/96	VRS REALTY SERVICE
95-59	9/27/96	WALNUT CREEK APARTMENT
95-59	9/27/96	WALNUT HILL APARTMENTS
95-59	9/27/96	WALNUT SPRINGS APARTMENT
95-59	9/27/96	WALNUTRIDGE
95-59	9/27/96	WASHINGTON TOWNE
95-59	9/27/96	WELLSFORD RESIDENTIAL PRO
95-59	9/27/96	WENTWORTH
95-59	9/27/96	WESTWICK APARTMENT
95-59	9/27/96	WILLOW BEND APARTMENT
95-59	9/27/96	WILLOW CREEK
95-59	9/27/96	WILLOWICK
95-59	9/27/96	WINDSOR PLACE
95-59	9/27/96	WOODLAKE & WOODVIEW
95-59	9/27/96	WYNDHAM CREEK
95-59	9/27/96	YESTER OAKS TOWN HOUSES

TOTAL : 199

DOCKET FILE COPY ORIGINAL



FCC MAIL ROOM

SEP 27 1996

RECEIVED

September 24, 1996

Mr. William F. Caton
Acting Secretary
Federal Communications Commission
1919 M Street, NW, Room 222
Washington, DC 20554

RE: Preemption of Local Zoning Regulation of Satellite Earth Stations, 1B Docket No. 95-59 and Implementation of Section 207 of the Telecommunications Act of 1996, CS Docket No. 96-83

Dear Mr. Caton:

I am writing in response to the FCC's Report and Order and Further Notice of Proposed Rulemaking released on August 6, 1996, which asks for comments "with regard to placement of antennas on common areas of rental properties, property not within the exclusive control of a person with an ownership interest, where a community association or landlord is legally responsible for maintenance and repair and can be liable for failure to perform its duties properly." We enclose six (6) copies of this letter, in addition to this original.

Pines of Northwest Crossing is located in Houston, Texas and consists of 412 units. The property is managed by Insignia Financial Group, a diversified real estate business and the largest multifamily manager, as well as multifamily owner, in the United States.

Granting persons who do not have an ownership interest in the property they rent a presumptive right to install a satellite dish or to demand a community-based signal will adversely affect the conduct of our business without justification and needlessly raise additional legal issues. We question whether the Commission has the authority to require us to allow the physical invasion of our property. We must retain the authority to control the use of our property, for many reasons.

The FCC should not extend regulations implementing Section 207 of the telecommunications Act of 1996 to situations in which the viewer does not have exclusive use or control and a direct ownership interest in the property where the antenna is to be installed, used and maintained. There are many factors such as safety, security, aesthetics, liability, and insurance costs that a private property owner must consider and manage on a day-to-day basis. All of these factors are vital to the operation of an apartment community and cannot be discounted or properly compensated for on a uniform basis.

The weight or wind resistance of a satellite and the quality of installation may create maintenance problems and — more importantly — a hazard to the safety of residents, building employees, and passers-by. Damage to the property caused by water seepage into the building interior, corrosion of metal mounts, or weakening of concrete could lead to safety hazards and very costly maintenance and repair. Slipshod or faulty contractors could create all kinds of safety problems. Even good installers cannot guarantee against weather damage.

The technical limitations of satellite technology create problems because all of our residents may not be able to receive certain services. It is our understanding that satellites are only positioned in certain areas, thus limiting access. A community-type satellite dish or antenna mounted on the roof of our properties is not necessarily the answer because of the great variation in condition and quality of roofs and it may be totally impractical and uneconomical to provide service to a small universe of potential subscribers.

In conclusion, we urge the FCC to avoid interfering in our relationships with our residents. All of the potential problems we cite will adversely affect the safety and security of our properties as well as our bottom line and property rights.

Thank you for your attention to our concerns.

Sincerely,

Mary Segovia
Property Manager

/ms